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**MINUTES FOR A REGULAR MEETING OF THE CIVIL SERVICE COMMISSION  
HELD AT 6:00 P.M., THURSDAY EVENING, JANUARY 27, 2005  
CITY COUNCIL CHAMBERS, #2 CIVIC CENTER PLAZA – 2ND FLOOR**

**MEMBERS PRESENT:** Berube, Paul  
Ellis, William  
Graham, Elijah  
Harris, Alvin  
Martinez, Ramy  
Peña, Andrew  
Ruck, Lance – Chair  
Schwartz, Elma

**ALSO PRESENT:**

Barron, Gabriel	Fargo, Peter - Human Resources
Barron, Gloria Jo	Galindo, E. R.
Bond, Terry – CSC Secretary/HR Director	Holguin, Minnie - Human Resources
Brockoff, Jeff – Police Department	Loweree, Fred - El Paso Water Utilities
Buenning, Rosy – CSC Recorder	Martinez, Lupe – Assistant City Attorney
Burman, Steve - Human Resources	McFadden, Debbie
Castro, Juan	Pastran, Martin
Cohen, Michael – Attorney at Law	Puga, Monica - Human Resources
Cuellar, Lupe – Assistant City Attorney	

The meeting convened at 6:00 p.m. with a quorum of 7 Commissioners present and Chair Ruck presiding.

Commissioner Ellis requested that Items 2, 5B, 5E and 11 be moved to the Regular Agenda. He also requested that Item 8B be tabled until after discussion of Item 15B.

Chair Ruck requested that Items 5C and 5.5A be moved to the Regular Agenda. He also requested that Item 18 be addressed at the beginning of the Regular Agenda.

**MOTION TO APPROVE THE CONSENT AGENDA WITH THE MODIFICATIONS MADE BY COMMISSIONER ELLIS, SECONDED BY COMMISSIONER MARTINEZ AND UNANIMOUSLY PASSED.**

Ms. Bond told the Commissioners that she had a request from the City Manager to move item 15

**MOTION TO ADDRESS ITEM 15B AFTER ITEM 18 AT THE BEGINNING OF THE REGULAR AGENDA MADE BY COMMISSIONER SCHWARTZ, SECONDED BY COMMISSIONER HARRIS AND UNANIMOUSLY PASSED.**

**CONSENT AGENDA**

1. Discussion and Action on Approval of Minutes:

January 13, 2005

2. Discussion and Action on Approval of Contracts:

- A. Undergraduate Intern Contract with Brenda K. Gonzalez from January 28, 2005 through August 31, 2005, for Human Resources.

*This item was addressed at the beginning of the Regular Agenda.*

Commissioner Ellis questioned Ms. Gonzalez' qualifications.

Ms. Bond said that generally these are student positions and briefly explained the process. She stated that actual experience in the job was not necessarily required.

**MOTION TO APPROVE ITEM 2A MADE BY COMMISSIONER ELLIS, SECONDED BY COMMISSIONER MARTINEZ AND UNANIMOUSLY PASSED.**

- B. Personal Services Contract with Mark Edward Grissom to perform the duties of Chief Plans Examiner from January 28, 2005 through July 27, 2005, for Building Permits & Inspections.

*This item was addressed at the beginning of the Regular Agenda.*

Commissioner Ellis asked if there as an eligible list for this position and asked if this was normally a classified position and wondered why the pay was lower than the minimum for that position.

Ms. Bond said it normally was a classified position and there isn't an eligible list.

Mr. Shubert, Building Permits & Inspections Director, stated the salary that Commissioner Ellis was quoting was incorrect, this contract is for a 6-month period.

Ms. Bond said the contract could be corrected to reflect the minimum pay for that grade.

Commissioner Ellis said he was ready to approve this item but wanted to make sure that when it came up for renewal that the Commission would get an update at that time on the eligible list.

Commissioner Schwartz asked why this was only a 6-month contract when Mr. Grissom was well respected in his field.

Mr. Shubert, BP&I Director, said it would give them enough time to analyze how the section will be run in the future and Mr. Grissom will help them do that.

Discussion.

MOTION TO APPROVE ITEM 2B MADE BY COMMISSIONER PEÑA, SECONDED BY COMMISSIONER BERUBE AND PASSED BY A VOTE OF 5 TO 2.

Ayes: Commissioners Peña, Martinez, Berube, Schwartz, Harris

Nays: Commissioner Graham, Ellis

3. Discussion and Action on Approval of Applications for Outside Employment:

A.	Alvarado-Anastacio-Street	S.	Lorusso-Noel-Police
B.	Arbogast-James S.-Police	T.	Macias-Martha-Community Dev.
C.	Balderrama-Francisco-Police	U.	Marquez-Lorenzo Jr.-Fire
D.	Bernal-Omar-Comptrollers	V.	Martin-Ronald G.-Police
E.	Brown-Link G.-Police	W.	Martinez-Paul-Police
F.	Celaya-Christopher D.-Fire	X.	Martinez-Stephen-Police
G.	Cervantes-Juan-Police	Y.	Meraz-Raul-Police
H.	Davila-Susanne K.-Police	Z.	Omspough-Jeffrey A.-Fire
I.	Davila-Susanne K.-Police	AA.	Ontiveros-Fernando-Police
J.	Elomari-Nazik-Police	BB.	Perez-Jose L.-Street
K.	Espalin-Gabriel-Police	CC.	Romero-Jon-Police
L.	Flores-Walter-Fire	DD.	Rubio-Filiberto-Police
M.	Gonzalez-David-Police	EE.	Ruiz-Arturo-Police
N.	Gurrola-Miguel-Street	FF.	Santana-Jorge-Police
O.	Gutierrez-Jose L.-Street	GG.	Seidon-Allan-El Paso Zoo
P.	Hanner-Robert-Police	HH.	Vargas-Juan C.-Police
Q.	Herrada-Rick-Police	II.	Vasquez-Carlos-Police
R.	Juarez-Olga-Police		

4. Notice of Promulgation of Eligible Lists:

- A. Accountant I (P-2)(O-9)
- B. Airport Maintenance Lead Worker – Corrected (P-4)(CR-0)
- C. Capital Projects Manager (P-4)(O-6)
- D. Fire Deputy Chief (P-7)

- E. Fire Medical Lieutenant (P-5)
- F. Planning Technician II (P-2)(O-11)

5. Discussion and Action on Approval of Classification Actions:

New Job Class/Revised Job Class/Revised Job Class & Grade/Revised Job Class, Title & Grade

	<u>Title</u>	<u>Code</u>	<u>Grade</u>
A.	Proposed: Licensed Coach Operator Trainee	3230	GS 11
B.	Official: Building Permits & Inspections Assistant Director	5824	EX E
	Proposed: Same	Same	Same
C.	Proposed: Airport Security Coordinator	5318	PM 79

Chair Ruck asked if this involved changing the designation from the relations coordinator to the safety coordinator?

Mr. Abeln, Airport Director, stated that there were two actions. One was that they were created an airport security coordinator and the other one was they were changing the relations coordinator to Marketing and Customer Relations Coordinator.

Chair Ruck said he actually wanted to address Item 5.5A.

MOTION TO APPROVE ITEMS 5B AND 5C MADE BY COMMISSIONER BERUBE, SECONDED BY COMMISSIONER PEÑA AND UNANIMOUSLY PASSED.

D.	Proposed: Police Public Information Officer	5563	PM 79
E.	Official: Airport Public Relations Coordinator	Delete	Delete
	Transit Community Relation Manager	Delete	Delete
	Public Affairs Coordinator	- 5133	PM 77
	Proposed: Marketing & Customer Relations Coordinator	5133	PM 77

MOTION TO RECONSIDER ITEM 5D MADE BY COMMISSIONER ELLIS, SECONDED BY COMMISSIONER GRAHAM AND UNANIMOUSLY PASSED.

Commissioner Ellis believed the specifications had incorrect information where they referred to the Texas Freedom of Information Act, it was probably the Texas Public Information Act. He requested the affected specs be corrected.

MOTION TO APPROVE ITEMS 5D AND 5E WITH CORRECTIONS MADE BY COMMISSIONER ELLIS, SECONDED BY COMMISSIONER BERUBE AND UNANIMOUSLY PASSED.

5.5 Discussion and Action on Approval of placement of incumbents into reclassified positions:

	<b>Title</b>	<b>Code</b>	<b>Grade</b>
	Official: Airport Operations Officer	5319	PM 77
	Proposed: Airport Security Coordinator	5318	PM 79
A.	Sharpe, Terence J.		

Chair Ruck asked how 98 college hours could equal to a Bachelor's degree which is what was required for this position.

Ana Sanchez, Human Resources Analyst, explained how experience could offset the college requirements.

MOTION TO APPROVE ITEM 5.5A MADE BY COMMISSIONER BERUBE, SECONDED BY COMMISSIONER HARRIS AND UNANIMOUSLY PASSED.

Official:	Airport Public Relations Coordinator	Delete	Delete
	Transit Community Relation Manager	Delete	Delete
	Public Affairs Coordinator	5133	PM 77
Proposed:	Marketing & Customer Relations Coordinator	5133	PM 77
B.	Bellegarde, Elizabeth		
C.	Salcido, Camille		
Proposed:	Police Public Information Officer	5563	PM 79
D.	Sambrano, Javier		

6. For Notation: Request to have appeal heard by Arbitrator:

- A. Cooper, Aaron L. – Suspension – Police Dept. (CP04-271)
- B. Pratt, Robert M. – Suspension – Police Dept. (CP04-221)
- C. Walker, Charles E. – Suspension – Police Dept. (CP04-207)

7. Discussion and Action on request to assign pending appeal cases:

- A. Rivera, Daniel – Termination – Mass Transit
- B. Sanchez, Guillermo – Termination – Solid Waste Management

8. Discussion and Action on request to have named placed on Transfer List:

- A. Diaz, Nancy – Secretary I – Mass Transit
- B. Galindo, Emma R. – Accountant I – Comptroller

*This item was discussed during the Regular Agenda after Item 15B.*

Commissioner Ellis commented that when he was reviewing his backup for tonight's meeting he noticed that Ms. Galindo's name appeared on more than one document. Her name appeared as the first witness for Ms. Sarabia's case and he asked Ms. Galindo if she had testified in Ms. Sarabia's behalf. He commented that he also noticed that the following month she requested a transfer.

Ms. Galindo said she had testified for Ms. Sarabia and she had also requested a transfer and stated she disagreed with Ms. Arrieta's negative comments on her transfer request appraisal.

Commissioner Ellis asked Ms. Galindo if this performance evaluation which was attached to her transfer request was different from the one before.

Ms. Galindo said it was as different as day and night, she said she previously had 3's and 4's, and now she has 2's and 3's. She said she appealed to Ms. Arrieta through a memorandum and Ms. Arrieta responded to her in writing as well. Ms. Galindo advised the Commission that she had appealed this evaluation.

Commissioner Ellis told the Commission that something similar had occurred in the past. Someone wanted to transfer out of their department but their job performance appeared to be lackluster, because of that the Commission denied the transfer request. He said that in view of the situation he would prefer to table the transfer request until such time that her performance evaluation appeal is finalized.

Chair Ruck didn't think the transfer needed to be delayed and asked Ms. Galindo if she would change her request to transfer if her performance evaluation appeal was approved.

Ms. Galindo said she didn't think she would change her mind because her supervisor has been harassing her since she was a witness for Ms. Sarabia, however, she agreed to tabling the item.

**MOTION TO TABLE ITEM 8B MADE BY COMMISSIONER ELLIS, SECONDED BY COMMISSIONER MARTINEZ AND UNANIMOUSLY PASSED.**

9. Discussion and Action on request to have name placed on Reinstatement List:

Castro, Juan Carlos – Zoo Keeper – El Paso Zoo

10. Discussion and Action on Approval of Merit Increases in accordance with C.S.C. Guidelines:
  - A. Airport - Bellegarde, Elizabeth - Public Relations Coordinator
  - B. Airport - Castaneda, Raul - Communications Dispatcher II
  - C. Airport - Corral, Uvaldo - Communications Dispatcher II
  - D. Airport - Elliott, Mary - Communications Dispatcher II
  - E. Airport - Lugo, Dionisio Jose - Airport Maintenance Supt.
  - F. Comptroller - Valdez, Isaura - Accountant I
  - G. Fire - Davis, Arline - Accounting Clerk
11. Discussion and Action on Certification of Police Trainee and Police Officer Eligible Lists before appeals are heard and decided by Civil Service Commission.

Commissioner Ellis pointed out that the memorandum provided as backup for this item was unsigned by Mr. Mobley. He commented that in the past the Commission had said that unsigned documents were not documents at all. He asked what would happen with the people that had appeals.

Jeff Brockoff, Police Department, stated that Mr. Mobley was out of town. He stated that they had 8 pending appeals and are expecting documents from those individuals soon, if the documentation is not provided then those appeals will be brought before the Commission at the next meeting if possible.

Discussion.

MOTION TO APPROVED ITEM 11 MADE BY COMMISSIONER HARRIS, SECONDED BY COMMISSIONER BERUBE AND PASSED BY A VOTE OF 5 TO 2.

Ayes: Commissioners Peña, Martinez, Berube, Schwartz, Harris

Nays: Commissioner Graham, Ellis

#### **REGULAR AGENDA**

*Items 18 and 15B were addressed here.*

MOTION TO ADDRESS ITEM 15A BEFORE THE REST OF THE REGULAR AGENDA MADE BY COMMISSIONER ELLIS, SECONDED BY COMMISSIONER PEÑA AND UNANIMOUSLY PASSED.

AFTER ADDRESSING ITEM 15A, A RECESS WAS TAKEN FROM 8:30 TO 8:45 BEFORE ADDRESSING ITEM 12.

12. Discussion and Action on Rule 13, Leave of Absence, Resignation, Sick Leave and Vacations and associated changes to Ordinance 8064, regarding approval of and length of leaves of absence, FMLA, benefits during leave, working hours and other benefits. (Tabled 12/09/04)

Commissioner Ellis stated that in spite of the work that the committee has diligently pursued and completed, he didn't have anything to present to the Commission tonight. He requested the item be tabled to the 2<sup>nd</sup> meeting in February.

MOTION TO TABLE ITEM 12 TO 2<sup>ND</sup> MEETING IN FEBRUARY MADE BY COMMISSIONER ELLIS, SECONDED BY COMMISSIONER BERUBE AND UNANIMOUSLY PASSED.

- 12.5 Discussion and Action on the promulgation of a rule regulating working employees Out-of-Classification.

Commissioner Ellis stated that there isn't a rule referring to working out of classification. He said he only has found a memorandum that was written over 11 years ago reference this issue. He detailed a few reasons why he believed the Commission should address and establish a rule reference working employees out of classification.

Chair Ruck agreed with Commissioner Berube that the proposed language should be given to Department Heads and employees so that they would have the opportunity to address the issue.

MOTION TO TABLE ITEM 12.5 TO 2<sup>ND</sup> MEETING IN FEBRUARY MADE BY COMMISSIONER ELLIS, SECONDED BY COMMISSIONER HARRIS AND UNANIMOUSLY PASSED.

13. *Item Not Used*

14. Discussion and Action on Vicki Magness' letter to Civil Service Commission reference Mass Transit.

Chair Ruck believed they did not have jurisdiction over this matter because she was not employee.

Assistant City Attorney Lupe Cuellar said there was a section in the Charter that allowed citizens to submit sworn complaints to the Commission. She mentioned that the documents were not sworn to, however, even if the documents had been submitted in the proper format, the Commission would not have any jurisdiction over the complaint and would not be able to provide her with any remedy because of the content of the complaint.

MOTION TO DELETE ITEM 14 MADE BY COMMISSIONER ELLIS, SECONDED BY COMMISSIONER MARTINEZ AND UNANIMOUSLY PASSED.

15. Discussion and Action on Hearing Officer's Report and Recommendation:

*Items 15A and 15B were addressed at the beginning of the Regular Agenda.*

A. McFadden, Deborah – Working Out-of-Class – Fire Dept. (04-FR-09PP)

Michael Cohen was present representing Ms. McFadden. Mr. Cohen requested that Ms. McFadden's appeal be sustained and that she be reclassified, he detailed the reasons for this request. He said that if they would not sustain her appeal that she should at least be given a merit increase back to the beginning of her complaint.

Discussion as to what actions had occurred since 2002.

Ms. Bond told the Commission that this item was originally posted as follows, "Discussion and Action on Request from Debbie McFadden reference Ordinance 8064, Section 6, Adjustment of Employee Complaints for Classification and Compensation Purposes," on the March 24, 2004 CSC agenda. She said that at that meeting the Commission decided to assign the case to a Hearing Officer.

Commissioner Ellis said that unfortunately the Hearing Officer didn't discuss those issues and believed they needed to note the opinion of the Hearing Officer but essentially the issues still remained. He believed they were not at the point where they needed to be on this case and motioned that the item be deleted until such time that the Human Resources Director analyzes the basis of the complaint and reports back to the Commission.

Mr. Cohen opposed this action as he stated that that this item has dragged on and on and didn't believe Human Resources would do too much to prepare a report.

MOTION TO DELETE ITEM 15A UNTIL THE HUMAN RESOURCES DIRECTOR PROVIDES AN ANALYSIS TO THE COMMISSION REFERENCE THIS ISSUE DURING THE SECOND MEETING IN FEBRUARY MADE BY COMMISSIONER ELLIS, SECONDED BY COMMISSIONER BERUBE AND UNANIMOUSLY PASSED.

B. Sarabia, Guillermina – Termination – Comptroller (04-FN-13PP)

Lupe Martinez, Asst. City Attorney, detailed the reasons why the City was against the Hearing Officer's recommendation, she said that all of this evidence had been presented during the hearing. She requested that the Commission reverse the decision. She pointed out how the lack of depositing monies and lack of bringing in revenues for the City was an egregious act and that the Commission should uphold the termination. She said that in the alternative without waving what she had just requested, that

the Commission might considering reducing the termination to a suspension and that no back pay be awarded to Ms. Sarabia.

Chair Ruck asked the Department Head how she felt about the comments made by the Hearing Officer in her recommendation reference the lack of supervision in the department. He also asked how she determined that she would discipline the appellant since she had only been with the City for four days when she disciplined her with a written reprimand, and asked her if she wrote the reprimand.

Carmen Arrieta-Candelaria, Comptroller, stated that she did received advise from counsel, Marvin Foust. She said that she was not aware of the check situation until after she had given the written reprimand. She said she did not call for an investigation. Ms. Arrieta-Candelaria stated that Juanita Gardea, Ms. Sarabia's supervisor was the one that wrote the reprimand but she reviewed it.

Ms. Sarabia gave the details of the day she was initially reprimanded. She gave the Commission some of the details of the incidents that led to her termination also. She explained to the Commission that two accountants and three accounting technicians are now doing the work she was doing during the time in question. She briefly explained to the Commission what happened and the reasons she got behind on her work.

Discussion.

The Commission had some discussion about why progressive discipline was not used in this case and why the City also fails to discipline the supervisors involved.

MOTION TO ACCEPT HEARING OFFICER PATRICIA PALAFOX'S RECOMMENDATION AS FOLLOWS:

"I RECOMMEND THAT THE CIVIL SERVICE COMMISSION NOT SUSTAIN GUILLERMINA SARABIA'S TERMINATION."

MADE BY COMMISSIONER ELLIS, SECONDED BY COMMISSIONER GRAHAM BUT FAILED BY A VOTE OF 4 TO 3.

Ayes: Commissioners Graham, Harris, Ellis

Nays: Commissioner Peña, Martinez, Berube, Schwartz

MOTION TO APPROVE THE HEARING OFFICER'S RECOMMENDATION EXCEPT THAT THE TERMINATION BE REDUCED TO A PERIOD OF SUSPENSION EQUAL TO THE TIME THE NOTICE OF SEPARATION WAS EFFECTIVE AND TODAY'S DATE SO THAT IN EFFECT NO BACK PAY IS GRANTED THE EMPLOYEE, MADE BY COMMISSIONER ELLIS, SECONDED BY COMMISSIONER GRAHAM AND PASSED BY A VOTE OF 4 TO 3.

Ayes: Commissioners Graham, Berube, Harris, Ellis

Nays: Commissioner Peña, Martinez, Scharzt

16. Discussion and Action on Appeal of Performance Evaluation of:

Gailey, Lisa K. – Lieutenant – Police Dept.

Chair Ruck assigned Commissioners Ellis and Harris to a committee to hear Lisa Gailey's performance evaluation appeal, with Commissioner Ellis chairing that committee

17. Discussion and Action on Appeal of Disqualification to take Examination and/or Removal of Name from Eligible List in accordance with C.S.C. Rule 8.1.d.1.:

A. Aguilar, Jose R. Jr. – Engineering Technician III

Mr. Aguilar was not present. Chair Ruck read the specifics of Mr. Aguilar's appeal.

MOTION TO DENY ITEM 17A MADE BY COMMISSIONER ELLIS, SECONDED BY COMMISSIONER MARTINEZ AND UNANIMOUSLY PASSED.

## B. Barron, Gabriel R. – Parking Meter Service Worker

Mr. Barron was present. Chair Ruck read the specifics of Mr. Barron's appeal. Mr. Barron stated that prior to that he served in the military and worked with the motor pool and with tools, he continued to detail his experience.

Monica Puga, Human Resources, explained to the Commission that even if Mr. Barron was given credit for all of Mr. Barron's experience he would still not qualify for the position.

MOTION TO DENY ITEM 17B MADE BY COMMISSIONER MARTINEZ, SECONDED BY COMMISSIONER BERUBE AND PASSED BY A VOTE OF 6 TO 1.

Ayes: Commissioners Peña, Martinez, Berube, Schwartz, Harris, Ellis

Nays: Commissioner Graham

## C. Pastran, Martin – Transit Communication Dispatcher

Mr. Pastran was present. Chair Ruck read the specifics of Mr. Pastran's appeal. Mr. Pastran detailed his experience to the Commission.

Minnie Holguin, Human Resources, pointed out that when applicants apply for any City position they are given instructions in their applications that they should submit all work experience they want considered.

MOTION OT DENY ITEM 17C MADE BY COMMISSIONER ELLIS, SECONDED BY COMMISSIONER BERUBE AND UNANIMOUSLY PASSED.

## 18. Discussion and Action on Request for Temporary Promotion:

Perez, Sylvia – Police Dept.

From: Police Sergeant

To: Police Lieutenant

*This item was addressed at the beginning of the Regular Agenda.*

Chief Cross stated that the charter allowed them to do this.

Discussion.

MOTION TO DENY ITEM 18 MADE BY COMMISSIONER ELLIS, SECONDED BY COMMISSIONER GRAHAM BUT FAILED BY A VOTE OF 3 TO 4.

Ayes: Commissioners Graham, Martinez, Ellis

Nays: Commissioner Peña, Berube, Schwartz, Harris

MOTION TO APPROVE ITEM 18 MADE BY COMMISSIONER HARRIS, SECONDED BY COMMISSIONER BERUBE AND PASSED BY A VOTE OF 4 TO 3.

Ayes: Commissioners Peña, Berube, Schwartz, Harris

Nays: Commissioner Graham, Martinez, Ellis

## 19. Discussion and action amending Rule 1, Sec. 10 by providing for disciplinary action against the Commission Recorder.

Chair Ruck read the proposed language of the amendment as follows, "The Commission Recorder serves at the pleasure of the Commission. Disciplinary action may be taken against the Commission Recorder by the Director of Human Resources only with te written concurrence of the Chair or Vice Chair as provided in Section 2b of this Rule. The Commission Recorder may appeal disciplinary action to the Commission according to the Provisions of Rule 15, the provisions of which are applicable in these matters."



Chair Ruck stated that he had read the reprimand and the response. He also commented that classified employees are not allowed to appeal written reprimands and asked if reprimands could be used in progressive discipline.

Assistant City Attorney Lupe Cuellar said they could be used in progressive discipline.

Commissioner Ellis advised that the amendment was proper because of the singular nature of the position. The Human Resources Director can discipline the Recorder but only with the written concurrence of the Commission Chair or Vice Chair. He said that it seemed proper that since the Recorder works for the Commission as a whole, that the Commission as a whole should be given an opportunity to review an appealable disciplinary action against the Recorder.

Discussion.

Ms. Bond requested that the item be tabled per Ms. Wilson's request.

Assistant City Attorney Lupe Martinez suggested the item be tabled so that the City Manager could review the issue.

MOTION TO TABLE ITEM 19 MADE BY COMMISSIONER BERUBE, SECONDED BY COMMISSIONER SCHWARTZ BUT FAILED BY A VOTE OF 4 TO 3.

Ayes: Commissioners Peña, Berube, Schwartz

Nays: Commissioner Graham, Martinez, Harris, Ellis

Assistant City Attorney Lupe Martinez believed that since the Recorder was under the sole supervision of the Human Resources Director, that she should have the authority to discipline the Recorder for everything short of termination.

Assistant City Attorney Lupe Cuellar said that depending on their motion, they would also have to motion to amend Section 7b of Rule 1.

MOTION TO APPROVE THE FOLLOWING PROPOSED RULE AMENDMENT MADE BY COMMISSIONER ELLIS, SECONDED BY COMMISSIONER GRAHAM AND PASSED BY A VOTE OF 6 TO 1.

Ayes: Commissioners Peña, Graham, Martinez, Berube, Harris, Ellis

Nays: Commissioner Schwartz

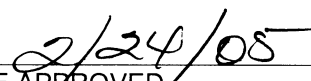
THE COMMISSION RECORDER SERVES AT THE PLEASURE OF THE COMMISSION. DISCIPLINARY ACTION MAY BE TAKEN AGAINST THE COMMISSION RECORDER BY THE SECRETARY ONLY WITH THE CONCURRENCE OF 2/3 OF THE COMMISSION.

THERE BEING NO FURTHER BUSINESS BEFORE THE COMMISSION, A MOTION TO ADJOURN WAS MADE BY COMMISSIONER BERUBE, SECONDED BY COMMISSIONER MARTINEZ AND UNANIMOUSLY PASSED.

THE MEETING ADJOURNED AT 9:45 P.M.

  
LANCE RUCK, C.S.C. CHAIR

  
TERRY BOND, C.S.C. SECRETARY

  
DATE APPROVED